

# **Alliant International University Library**

## **Collection Development Policy**

### **1. Purpose**

**1.1.** The purpose of this document is to guide Alliant Library staff, in consultation with program faculty, in developing and maintaining a balanced collection that is responsive to the changing needs of the institution. The policy will help provide consistency among those responsible for developing the collections and communicating Library policies to students, faculty, staff and administration. The Library, in carrying out its collection development activities, adheres to the principles expressed in the American Library Association's Library Bill of Rights and Intellectual Freedom Policy (see Appendix B).

### **2. Background**

**2.1.** Alliant International University is a multi-site institution with main campuses in San Francisco, Los Angeles, Fresno, and San Diego; satellite campuses in Sacramento and Irvine; and a growing number of off-site programs in domestic and international locations. The University was founded in 2001 with the merging of the California School of Professional Psychology and United States International University. Alliant has defined itself as a "Professional Practice University," with a special concern for diversity and internationalism (see the University's Mission Statement in Appendix A). The University's degree programs are housed within distinct schools and centers, currently comprising the California School of Professional Psychology (CSPP), Shirley Huftedler School of Education (SHSE), Marshall Goldsmith School of Management (MGSM), California School of Forensic Study (CCFS), and Center for Undergraduate Education (CUE).

**2.2.** The Alliant Library is a distributed network of physical, electronic, and human resources. The mission of the Alliant Library is to provide information resources and services in support of learning, scholarship, and evidence-based practice throughout the University and to foster the development of information literate practitioners (see Appendix A for Guiding Principles). Major physical collections – including books, dissertations and doctoral projects, journals, psychological tests, videos, DVDs, and audio recordings – are maintained in libraries at the four main campuses. To maximize the diversity of resources available throughout the system, non-core materials are shared across the University rather than being duplicated unnecessarily at multiple locations. Within California, materials not available onsite may be requested via the Alliant Library catalog and are shipped between campuses by courier service. To supplement Alliant book collections, the Library also participates in LINK+, a resource-sharing consortium of California and Nevada libraries. In addition to physical collections, the Library provides access to a growing number of electronic information resources, including full-text journals, electronic books, and research databases.

### **3. Collection development**

**3.1.** Collection development is the process of building and maintaining a library's collections – both physical and online – and includes the formulation of policy and procedures, budget allocation, needs assessment, selection, maintenance, evaluation and resource sharing.

**3.2.** Collection development is the responsibility of the Library's professional staff. Librarians will select books, media, and psychological tests primarily to meet the needs of their local communities; however, selection should also be done within a university-wide context of balance, continuity, consistency, and breadth of coverage. Materials requiring a larger or

continuing financial commitment – such as journal subscriptions and online databases – will be evaluated by the Library Management Team for selection.

- 3.3. Faculty, students, and other members of the Alliant community are encouraged to make suggestions for purchase; however, the Library reserves the right to reject recommendations if they fall outside the scope of the criteria described in this document or on the basis of financial commitment.

#### **4. Target audience**

- 4.1. Alliant Library collections are developed and maintained for the use of Alliant students, faculty, staff, and administration.

#### **5. Fund Allocations**

- 5.1. Each year, in consultation with the Provost and the Library Management Team, the University Librarian determines the allocations in the Library's materials budgets. Allocations to individual campus libraries will take into consideration:

- 5.1.1. A base amount, determined by the overall budget, will be allocated for each academic program supported by an individual library.

- 5.1.2. After allocations have been made to support all programs equitably, additional funds may be allocated based on student enrollments.

- 5.2. Allocations of the budget will not be influenced by monetary gifts received by a specific library (i.e., a library will not receive less money from the materials budget because it has received funds from donors as well).

- 5.3. Special allocations are necessary to buy the newest editions of psychology tests. Pattern for replacement is irregular but publishers may give some kind of notification of updated editions.

#### **6. Selection Guidelines**

- 6.1. General Selection Criteria to be used in purchasing new library materials and adding donations to the collection:

- 6.1.1. Relevance to academic curricula and the University's mission

- 6.1.2. Attention to multicultural and international factors, as applicable

- 6.1.3. Value and timeliness of content

- 6.1.4. Cost of material

- 6.1.5. Authoritativeness of authors and/or reputation of the publisher

- 6.1.6. Currency of the material

- 6.1.7. Existing resources at other campuses

- 6.1.8. Appropriateness of the format

- 6.2. Selection of current publications and relevant retrospective materials will be made from one or more of the following selection tools:

- 6.2.1. Faculty, staff, and student requests

- 6.2.2. Scholarly bibliographies and reviews

- 6.2.3. *Library Journal* and other professional review sources

- 6.2.4. Publishers' catalogs and pre-publication literature
- 6.2.5. Book vendor approval plans
- 6.3. Formats
  - 6.3.1. *Audiovisual Materials* (including DVD, video tape, audio recordings, and equipment) are acquired primarily to support specific programs, classes, and initiatives. Purchase of expensive AV materials requested for classes should be done only with confirmation that the materials are likely to be used more than once. Care should be taken that equipment owned by the University will support the formats purchased.
  - 6.3.2. *Books* are acquired to support the education and research needs of the university and are intended to supplement, not replace, classroom readings and textbooks. Textbooks are not purchased as a matter of policy.
    - 6.3.2.1. *E-books*, when available, are the preferred format for titles ordered specifically for course reserves or to support programs for distance learners. PDF documents are the preferred format of e-books. Titles that meet the selection criteria for print books should be purchased for perpetual access (e.g. as “prepaid” for NetLibrary titles). Those that have temporary value should be leased (e.g. as “annual” for NetLibrary titles).
  - 6.3.3. *Curriculum Materials* are acquired selectively to support teacher education programs. Curriculum material collections will be centralized at one or two locations, as such materials are time-consuming to acquire and maintain. Purchase of updated curriculum materials will depend on additional budgetary support from SHSE.
  - 6.3.4. *Dissertations, Doctoral Projects, and Theses* completed at Alliant or its legacy institutions are maintained in circulating collections. Each graduate student who completes a dissertation, doctoral project, or thesis will submit to his or her campus one copy of the final approved manuscript, which will be bound for the campus library. In addition, another copy of each dissertation will be submitted for publication and archiving by ProQuest Information and Learning (optional for master’s theses and doctoral projects). Because dissertations since 1997 are now accessible through *ProQuest Dissertations and Theses Online*, the Alliant libraries no longer maintain print archival copies for post-1996 dissertations. Students only submit copies to be sent to UMI and to be bound for a circulating copy.
  - 6.3.5. *Government Documents* from local, regional, state, national and international agencies are acquired as necessary to support the training and research needs of the university. If the documents are freely available online, a print copy will not be acquired; however, a record may be added to the Alliant Library catalog to link users to the online document.
  - 6.3.6. *Journals* require an ongoing commitment to maintain holdings and are more commonly available and accessed online. Therefore, the following additional criteria will apply to the selection of journal titles:
    - 6.3.6.1. The preferred format for journal subscriptions is electronic. Subscriptions to electronic journals may be purchased as individual titles or as part of a larger collection of titles offered by a publisher or consortium.
    - 6.3.6.2. Print subscriptions may be necessary to supplement e-journal titles that are available in aggregated databases, as these titles may be subject to publisher

embargos (limits on access to recent issues) or withdrawal by publisher from the database.

- 6.3.6.3. For e-journals, the Library should acquire perpetual access rights, when available.
- 6.3.6.4. The cost/usage ratio will be a determining factor in selecting journals. For expensive titles, obtaining copies of articles through interlibrary loan may be a less expensive alternative.
- 6.3.6.5. General interest magazines will be considered for their current news content, educational value, and/or usage by students.
- 6.3.6.6. Due to financial limitations, the Library does not subscribe to foreign-language newspapers and magazines for various cultural groups represented in the University. However, an individual library may make space for foreign-language newspapers that are provided by student groups on campus.
- 6.3.7. *Microforms* are not actively collected.
- 6.3.8. *Psychological Tests* are purchased in support of assessment curricula for Clinical, Forensic and School Psychology programs. Each library will purchase multiple copies of tests to adequately support students in assessment classes. The libraries only purchase test booklets and protocols in support of such classes. The libraries will not purchase tests or protocols in support of individual dissertation research; each student is responsible for purchasing necessary testing supplies for such purposes. The purchase of assessment materials is funded from the Assessment Lab Fee charged to each student for each enrollment in an assessment class.

## 7. Special collections

- 7.1. Each campus library has limited space available for special collections. Special collections may have a unique location or may be interfiled with the library's main collection. Items in a collection will be so noted in the catalog record to assist in identifying or discovering titles in a particular collection. Most special collections items are donated by individuals, groups or organizations; the library rarely purchases items for these special collections.

## 8. Language

- 8.1. The Library primarily collects English language materials.

## 9. Duplicates

- 9.1. Duplicate purchases within one library or among the university libraries are not normally considered unless warranted by heavy use. Assessment materials will be duplicated across the system because of the regular and high demand for these materials and the difficulty of transporting large/expensive items among campuses.

## 10. Resource sharing

- 10.1. Due to limited budgets and the diminishing ability to collect and maintain even a small percentage of the information available and needed by students enrolled in higher education, access rather than ownership is the reality of collection development. Our collection efforts are based on the understanding that no library can supply materials to satisfy every information need of all its users. In light of this, the Alliant Library is an active member of several resource sharing organizations and agreements. These include LINK+, SCEL, and reciprocal interlibrary loan agreements with other libraries (OCLC, Docline, etc.).

- 10.1.1.** Such resource-sharing agreements are based on the understanding that each library will continue to develop its collections as appropriate to its mission and therefore have resources to contribute. Participation in LINK+ or other resource-sharing agreements is intended as a supplement to, not a substitute for, collection development

## **11. Gifts and Donations**

- 11.1.** Non-monetary gifts are accepted in accordance with the criteria stated elsewhere in this policy for acquisition of resources. To facilitate the donation process, the following guidelines are provided:
  - 11.1.1.** The Alliant Library does not have facilities for special handling of gift materials. Therefore, gifts are integrated into the general collection.
  - 11.1.2.** The Library reserves the sole right to accept any materials offered, and to determine retention, location, cataloging treatment and other considerations related to its use or disposition. Materials that do not complement the library collection may be exchanged, sold, or discarded.
  - 11.1.3.** To protect the donor and the university, the Alliant Library, as an interested party, does not establish values of gifts for tax purposes. If the donor desires an appraisal, it is the donor's responsibility to estimate values or employ the services of an independent consultant. Those who wish to use their donation for tax purposes will receive an acknowledgement of their gift from the university.
  - 11.1.4.** The library at each campus may determine the necessity for using a gift form for gifts made to their location.

## **12. Evaluation**

- 12.1.** Evaluation of the Library's collections is an on-going process. A continuous review ensures that library staff is aware of how collections are meeting the needs of the university community and serving its users.

## **13. Collection Maintenance**

- 13.1.** Because of the research status of the Alliant Library, the collections are not routinely weeded. Any weeding from the collections will be the responsibility of the campus librarians. When appropriate, faculty will be consulted before a resource is discarded from the collections. The following criteria may be used in weeding:
  - 13.1.1.** Relevance of the subject matter
  - 13.1.2.** Enduring value of the subject matter (e.g., special consideration may be given for classic works, representative works in a subject area, works by well-known authors, and primary sources)
  - 13.1.3.** Demand, as gauged by circulation frequency
  - 13.1.4.** Currency, which may vary across subjects
  - 13.1.5.** Condition of the item
  - 13.1.6.** Multiple copies without high demand
  - 13.1.7.** Availability of hardware or software to access data
  - 13.1.8.** Insufficient storage space for non-used materials

## **14. Intellectual Freedom**

**14.1.** The Alliant Library strives to conduct its materials selection processes and all other library services in accordance with the American Library Association's *Library Bill of Rights* (see appendixes). We provide materials that reflect diverse viewpoints and opinions and do not exclude materials solely because of origin, background, or dissenting views; we do not practice censorship but promote free expression and open access to ideas. The Library does not express any position with regard to its collections, but strives to balance selected resources. This is done with the best interests of the University and society in mind. Therefore, all decisions regarding selection or deselection ultimately rest within the professional judgment of the Alliant librarians.

## Appendix A

### Alliant International University Mission Statements

#### *University*

Alliant International University prepares students for professional careers of service and leadership, and promotes the discovery and application of knowledge to improve the lives of people in diverse cultures and communities around the world.

Alliant is committed to excellence in four areas:

1. **Education for Professional Practice**

Alliant's educational programs are designed to give students the knowledge, skills and ethical values they need to serve and lead effectively in a variety of professional settings. Alliant graduates are expected to achieve mastery of a body of knowledge and be able to apply that knowledge in professional practice in order to achieve desired and beneficial outcomes.

2. **Scholarship**

Scholarship in the Alliant context includes the discovery of new knowledge; the discovery of new applications of knowledge to solve practical problems; the integration of knowledge in new ways; and innovation in teaching knowledge and professional competencies.

3. **Multicultural and International Competence**

Alliant is an inclusive institution committed to serving diverse populations around the world by preparing professionals to work effectively across cultural and national boundaries, by increasing the number of professionals working in underserved areas, and by understanding and responding to the needs of diverse communities.

4. **Community Engagement**

Alliant's faculty, students, alumni and staff are dedicated to making a positive difference in the world through professional education and practice. We measure the success of our university in part by the impact we have, both directly and indirectly, on the welfare of individuals, families, organizations and communities.

#### **Missions of Alliant's Schools**

*At Alliant International University, we sometimes refer to ourselves as "a family of schools," and this is true in several ways. The two schools that came together to form Alliant were each innovative institutions with distinctive missions of their own. Those missions have been handed down to their offspring, Alliant, and still remain compelling today. From United States International University (USIU), we have inherited an enduring commitment to internationalism. From the California School of Professional Psychology (CSPP), we have gained strong convictions about how professionals should be educated and how important it is for them to develop multi-cultural competence.*

*The values we have inherited from these legacy institutions underlie the university's mission statement above (adopted by the Alliant Board of Trustees in November 2008). Many of Alliant's schools have also adopted school mission statements; links to those are found in the blue box above.*

*As we have grown, we have formed strong alliances with other institutions such as the Presidio School of Management, which holds a vision of sustainability that has relevance in natural, social and business systems.*

*While all the schools within the Alliant family are distinctive, it's also true that all the members of our educational family hold strong resemblances. Our university mission statement refers to "professional practice" because that phrase encapsulates many of the shared features of our academic programs, specifically:*

- In all of our programs, we prepare students to enter professions: psychology, education, management and public service, in which their future success depends upon the mastery of a specialized body of knowledge and skills.*
- We emphasize the practical application of knowledge, and our approach to education incorporates theory and practice. In most of our programs, students learn in the field as well as in the classroom.*
- The "professional practice" model implies both a goal and a method of education. We prepare students for independent, knowledge-based careers of service and leadership in a variety of fields.*

### ***Library***

The mission of the Alliant Library is to provide information resources and services in support of learning, scholarship, and evidence-based practice throughout the University and to foster the development of information literate practitioners.

#### ***Guiding Principles***

- The Library will build and maintain relationships to provide access to current and historical information resources that have been vetted for accuracy, authenticity, reliability, and relevance to Alliant's missions.*
- In collaboration with faculty and other stakeholders, the Library will select information resources, in a variety of formats, to support academic programs and institutional initiatives with comprehensive core collections.*
- The Library will utilize relationships with suppliers and consortia to acquire selected resources in the most efficient and cost-effective manner.*
- The Library will utilize up-to-date industry standards and best practices to organize, describe, and manage information resources for optimal access.*
- The Library will develop and maintain relationships with other libraries and library groups to share information resources to meet users' needs for resources beyond our core collections.*



- In collaboration with faculty, IT, and other University departments, the Library will develop and maintain institutional repositories of digital materials, including dissertations, faculty scholarship, and University archives.
- The Library will utilize internal and external relationships to evaluate collections and access for contribution to educational effectiveness.
- The Library will guard the intellectual freedom of its patrons by providing equitable and confidential access to its collections, in accordance with the Code of Ethics of the American Librarian Association (see Appendix B).
- The Library will protect the intellectual property of its rightful owners by enforcing copyright guidelines.

## **Appendix B**

### **American Library Association Statements and Policies**

#### **Library Bill of Rights**

<http://www.ala.org/ala/oif/statementspols/statementsif/librarybillrights.htm>

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.

Amended February 2, 1961, June 28, 1967, and January 23, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

#### **Code of Ethics of the American Library Association**

<http://www.ala.org/ala/oif/statementspols/codeofethics/codeethics.htm>

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession

explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

- I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
- II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- III. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
- IV. We recognize and respect intellectual property rights and advocate balance between the interests of information users and rights holders.
- V. We treat co-workers and other colleagues with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
- VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
- VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
- VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted June 28, 1997, by the ALA Council; amended January 22, 2008

## Appendix C

### Copyright Compliance Policy for Members of the Alliant International University Community

#### Introduction

It is the policy of Alliant International University (Alliant) that all members of the University Community must comply with U.S. Copyright Law. To provide for a high-quality education for students of Alliant International University faculty often find it useful to make available to their students copyrighted material. Faculty frequently find that an effective means to make such information available is to copy and distribute it to students. The Copyright Act of 1976, 17 U.S.C. § 1 et seq. provides for duplication of copyrighted materials by the copyright owner, with the permission of the copyright owner or when the copying is considered a “fair use” of the material.

To encourage legitimate copying by the Alliant university faculty, staff and students within the scope of the Copyright Act and in furtherance of their educational, research, creative, and scholarly pursuits, AIU is publishing these general policy guidelines. The goal of this document is to provide faculty and staff with a general understanding of copyright law and the applicability of the fair use doctrine in teaching and research. Appropriate application of fair use in education is dependent on a fundamental knowledge of copyright law and educators can only make informed, good faith fair use judgments when they understand the concepts and principles behind the statutes.

#### Copyright Basics

A copyright is the set of exclusive legal rights authors or creators have over their works for a limited period of time. These rights include copying the works (including parts of the works), making derivative works, distributing the works and performing the works. To qualify for copyright protection, the work must be original, creative to a minimal degree and in a fixed or tangible form of expression.

Copyrighted works are protected regardless of the medium in which they are created or reproduced. Copyrighted works include, but are not limited to, printed articles from publications, TV and radio programs, videotapes, music performances, photographs, training materials, manuals, documentation, software programs, databases and web pages. In general, the laws that apply to printed materials are also applicable to visual and electronic media and works transformed into digital format.

Copyright does not protect and anyone may use:

- works in the public domain - (works belonging to the public as a whole including U.S. Government documents and works with an expired copyright or no existing protection.
- facts and ideas
- works that lack originality
- freeware

The “First Sale Doctrine” allows the purchaser of a work to do with it as he/she pleases. The work can be resold, given away, donated or thrown out. However, it cannot be copied in violation of copyright law.

### **Fair Use Doctrine**

Copyright law begins with the premise that the copyright owner has exclusive rights to many uses of a protected work. The Copyright Act sets forth several exceptions to those rights. The best-known exception is fair use. The fair use provision under the copyright law provides that the fair use of a copyrighted work, including reproduction, is not an infringement of the copyright. Fair use applies to all copyrighted works regardless of the media in which they are fixed. The statute lists six exemplars of fair use:

- criticism,
- comment
- news reporting
- teaching (including multiple copies for classroom use)
- scholarship
- research.

University faculty, staff and students may make copies of copyrighted materials within the Fair Use Doctrine. Otherwise, the appropriate permissions from the copyright holder are required before making copies. Fair use assertions depend upon an examination of the facts surrounding each case and the factors identified in the applicable copyright statutory provisions along with the court cases interpreting the statutes. The fair use standard requires consideration and balancing by University faculty, staff, and students of the following factors to determine whether duplication or use by a party other than the copyright owner constitutes fair use:

- The purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes. In general, uses for educational purposes at nonprofit institutions weigh in favor of fair use. If the use is commercial, fair use is less likely to be found. Copies used in education, but sold at a monetary profit would not be fair use.
- The nature of the copyrighted work. The nature of works may range from pure facts to highly creative works. Some works are closer to the core of copyright protection than others. Examples: fiction (more protection) and factual works (less protection); motion pictures (more protection) and news broadcasts (less protection); creative works (more protection) and compilations (less protection); in print (more protection) and out of print (less protection); unpublished (more protection) and published (less protection).
- The amount and substantiality of the portion used in relation to the copyrighted work as a whole. No exact measures of allowable quantity exist in the law. Amount is both quantitatively and qualitatively measured. Quantity is evaluated relative to the length of the entire original and the amount needed to serve the educational objective. Where only a small portion of the work is to be copied and the work would not be used if purchase or licensing of a sufficient number of

authorized copies were required, the intended use is more likely to be considered fair. Copying excerpts that encompass most of the body of a work would weigh against fair use.

- The effect of the use upon the potential market for or value of the copyright. Educational uses that have little or no impact on the market value for the original work weigh in favor of fair use. Copying should not harm the commercial value of the work. As a general rule, there should be no copying of a copyrighted work to substitute for its purchase by the user. Factors to consider: Is the use educational? Is the work going to be used for more than one class and/or more than one semester? Is there a means to obtain permission from the copyright holder? Is the original out of print? Is the cost of the license or royalty prohibitive?

Teachers may make personal copies of copyrighted materials for scholarship and research purposes.

Some activities are even less likely to constitute fair use and should almost never be engaged in without the explicit permission of the copyright owner:

- Copying of materials for profit.
- Copying of published textbooks.
- Copying of unpublished materials.
- Copying of the same materials, e.g. coursepacks, for classroom use term after term
- Copying of works intended to be “consumable” in the course of study or of teaching such as workbooks, exercises, standardized tests, test booklets and answer sheets.

The following are fair use guidelines only and will generally provide a safe harbor against claims of copyright infringement. However, each situation has to be evaluated based on the factors referenced above.

### **Coursepacks – Fair Use Guidelines**

Limit coursepack materials to:

- single chapters from a book
- single articles, essays, poems or stories from a periodical issue or newspaper
- a limited number of charts, diagrams, drawings, graphs, or pictures from a book, newspaper, or periodical issue
- other similarly small parts of a work
- limit to one semester or term
- limit the student’s cost to the cost of reproducing the material

- obtain permission for materials that will be used repeatedly by the same instructor for the same class
- include any copyright notice on the original
- include appropriate citations and attributions to the source

### **Library Reserve – Fair Use Guidelines**

- Books – you may place the entire book (not a copy) on reserve or a photocopy of a complete chapter, story, article or essay from a collected work if it does not constitute a substantial portion of the total work.
- Journals and Newspapers – you may place a photocopy of one article, story or essay from a single issue per journal title on reserve.
- Illustrations – you may place one chart, graph, diagram, cartoon or picture per book or periodical issue on reserve.
- CDs – you may place the original item, but no copies, on reserve.
- Software – The Chief Information Technology Officer must verify licensing rights before you place software on reserve.
- Public Domain Works – you may reproduce works in the public domain without restriction.

### **Electronic Reserve – Fair Use Guidelines**

- single articles or chapters; several charts, graphs or illustrations; or other small parts of a work.
- a small part of the materials required for the course.
- copies of materials that a faculty member or the library already possesses legally (i.e., by purchase, license)
- include any copyright notice on the original, appropriate citations and attributions to the source.
- limit access to students enrolled in the class. Terminate access at the end of the semester.
- obtain permission for materials that will be used repeatedly.

### **Educational Multimedia – Fair Use Guidelines (The rights described herein are rights to create, display and perform unique works, but not to make multiple copies and distribute them)**

- faculty may incorporate others' works into their multimedia creations to produce curriculum materials for educational use. Faculty may retain multimedia products incorporating the copyrighted works of others for a period of two years. After that, permission is required.

- faculty may provide for multimedia products using copyrighted works to be accessible at a distance provided access is limited to students. However, the performance and display of an entire copyrighted audiovisual work such as a videotape, DVD or video file is not allowed for distance education.
- faculty may demonstrate their multimedia creations at professional symposia and retain such work in their own portfolios.
- for text, use is limited to 10% of the work or 1,000 words, whichever is less.
- for photos and images, use is limited to five works from one author and 10% or 15 works, whichever is less, from a collection.
- for database information, use is limited to 10% or 2,500 fields or cell entries, whichever is less.
- for motion media (e.g., video clips), use is limited to 10% or three minutes, whichever is less.
- for music, use is limited to 10% or 30 seconds, whichever is less.

### **Software Copying**

- software owners are permitted to make a back-up archival copy of software in the event the original disk fails to function.
- back-up copies are not to be used in a second computer at the same time the original is in use.
- back-up copies are to be destroyed if the original software is sold or otherwise transferred to a third party

### **Use of Copyright Protected Material - Options**

#### **Obtain Permission From Copyright Holder**

- It is always safest to obtain written permission from the copyright holder. The earlier the request is sent the better. Ideally, the request should be in writing and clearly describe the scope of permission.
- Information regarding ownership and licensing of registered works can be found at the following websites: [www.copyright.com](http://www.copyright.com) (Copyright Clearance Center); [www.loc.gov/copyright/search](http://www.loc.gov/copyright/search); If the work you want is registered with these organizations, permission can typically be obtained within 36 hours.
- Preparation, copying and licensing of coursepack materials in hardcopy and electronic format can be facilitated through the use of services such as XanEdu at [www.xanedu.com](http://www.xanedu.com). These services are generally available by going directly online. The lead-time for preparation of coursepack materials through XanEdu can range from 4-6 weeks.



### **Rely on Fair Use Exception When Permission is Not Obtained**

- This requires that faculty, staff and students consider and balance the guidelines and factors set forth above in determining whether duplication or use by a party other than the copyright owner constitutes fair use.
- If faculty and/or staff act in good faith in applying the general guidelines set forth above regarding fair use, the AIU indemnification policy will likely offer protection in the event of an infringement allegation.

If there are any questions or comments regarding the provisions of this policy, please feel free to contact the AIU legal department.

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